App F IX 4

Previous References (1944/45 rul) 2nd File No 111-43
Serial Nos 59, 63

I ater References

GENERAL AND REVENUE SECRETARIAT

Serial Nos two

Part B for June 45

SUBJECT

Petition of Mr Bhavani Shankar s/o Rajamahal Guttahally Praying that he may be allowed to build houses on S No 33 & 32/2 of Jakkasandra village, Bangalore Kasaba

Endorsement to Mr. Bhavani Shankar's

Petition forwarded comm: B'ore
L 12307 d 20/6/45

Refuses Permission

HR
5/7

8 84
L

4 R S III—3]

ROUTINE NOTES LR 264-44-1

[To be used only for notes requisitions etc not intended for permanent record]

Petition dy 1-8-43 from one Bhavani Shanka Rao, son Pandu Ranga temple, Rajamahal guttahalli praying in the circumstances stated that he may be allowed to put build house on his land bearing s No 33+32/2 of Tekkasandra village Bangalore Kasaba

Dated 2/8/43

Immediate Tsp's report on the petition.—

'The Tsl concerned may be requested to send a report in the matter'

2) D'fl 'memo' is put up on the petition accordingly

6/8/43

3) D Hqrs

If there is not another file in this matter

Subject

4) There seems to be no such file in this office

6/8/43

5) Seen

WD 078—GPB—30 000—25-7-40

N B – Should routine notes be written on small slips the notes must be copied or slips pasted on this form

2

8840 2187

Letter No A6 Dr 83/42 dt 25/9/43
from the ml comm. Bng
stating that the adv Impt
Committee has resolved that
the conversion cannot be
permitted as the land is
required for a public purpose

6 The ml Engineer, it is reported,
has stated that the land
is required for the construction
of an attack shop.

7 The Dy Comm. Bangalore Dt
who has called for the papers
has returned them back to the
mcf for reconsideration
The adv Improvement Committee
have resolved that the conversion
cannot be permitted.

8 The opinion of the adv ml
el has not been obtained

9 Subs with reference to
para 1 supra

VKB 8/11 (ml office has been phoned to send the Petition)

VKB 8/11 To please get back the original petition at once

11 subs The Petn got back from "Ub"
the ml office is put up

VKB 10/10 JA

(2) One Mr. Bhavani Shankara Rao of Mallesvaram has prayed that permission may be given to him to convert 5 nos 33 to 37 of 1/2 guntas of land in all about in Jalakasandra village for non agricultural purposes He states that the buildings & shops to be constructed there would be for the benefit of the temple located nearby & the devotees He adds that he is prepared to give to the MCC such portion of the site, as may be required by them for forming one cartage at the place & that he may be permitted to build on the remaining portion May be granted reasonable proposals

(3) The Dy Commr Revenue Deptt has asked the opinion of the Bangalore city Mcl and it was stated that as the land was required for the construction of an Arrack shop, the Dy Commr was informed that the conversion in question is not recommended The Dy Commr again returned the question to the Mcl for reconsideration as an arrack shop in front of a temple would be objectionable The subject was considered by the city improvement committee who resolved that the conversion cannot be permitted as the lands required for a public purpose The question has now come before the city Mcl at its

14 The President, Bhiwandi Mcl, has, while forwarding the above request, stated that this plot is at the corner of an undeveloped circle in Mallenwadi & if encroachment is allowed, there will be trouble if land is required for a public purpose. Hence the encroachment is not permitted. It will be seen from the above facts that, while the Revenue authorities are willing to allow the encroachment of the land for building purposes, the Municipal authorities are not at present in favour of the proposal. The Mcl is not prepared to acquire the plot immediately and it does not allow the owner of the land to build upon it. The statement "of the land is required for a public purpose" is very indefinite as what public purpose it would be required for is not stated definitely either. Having regard to the above facts, it is difficult to support the attitude of the Bhiwandi Mcl, especially as the owner is willing to part with any portion of the land for the formation of a circle etc.

16) Kindly refer to the portion marked A-B-C on the portion (Map M).

17 It seems reasonable to allow the petitioners request to encroach the land with building bylaws. The Mcl may decide as to what extent is required & to cut of it for any public purpose & retain the remaining portion to be built upon.

SECY LAW DEPT 4691 G 043 YCORE

OFFICE OF THE MINISTER FOR L S G & P H Dat 13/11/43 No 3040

18 Subject for ordinance to effect [illegible] from 1st [illegible] Law 12/11/43

19. The Municipal Council [illegible] a dangerous [illegible] policy. As it has no [illegible] immediately [illegible] that [illegible] has to be left out [illegible] announced that the [illegible] will be [illegible] & commence the [illegible]

Mins 2-94

Ans 12-11-43 from

16 11 43

Draft letter please

21 Ended with a draft letter for approval

17/11

19/11/43

63 To Re mtl Comm, Orig thro' DO No LS 293 & 22-11-43 Issues instructions in the matter

Ans B 26/(2?)

Re Ended

19/5

Issue

19/11/43

Sent with reminder

[illegible] 732 0224/5/44

6

Continuation Sheet | File No / Current No | 1111 | of 43 | Page

R991

29) Suspected the case in regard of the party deserves consideration The case may be pursued not to be considered in the non agricultural purposes. 4 C. 30 8 44

DEVANSHOE 2 SEP 1944 NO 1530

OF ED TIF STLT FOnLS C ?? H Date 30 8 44 - No 1642

30) Forwarded with a draft letter for appl 31/8 31) An endorsement will also be issued to the petitioner

Lawsey) for Secretary

29) for perusal Dewan

2-9-44 for

30) This is a matter to be dealt with in the Chief (Rev) Secretariat The Rev Comm may be consulted

8/9/44 for

Chief Sec

31) Rev

32) Memo Forwarded with compliments to the Revenue Commissioner in Mysore for favour of remarks By order for Chief Secretary to Govt

5/9/44 for

CH 1952 5 1944

Ln-VLS .3255

R 991 7

U O No C 1 1107/44-45 31/10/1944

33) Returned with compliments

34) The erection of an Arrack Shop near the Sri Pandurangaswami Temple is objectionable, though the Municipal Council may try to justify it for a - - "Public Purpose" The permission sought for for conversion of the agricultural land for building -- purposes applied for by Mr Bhavani Shankara Rao can be refused only if the Municipality has got any proposal ready to acquire it for a better and - - - unobjectionable purpose A decision will have to be arrived at if necessary after getting a further report from the Municipal Commissioner There would be no objection from the Revenue Department to grant permission to convert the land for building purposes

Revenue Commissioner

36) Further report may be called for from the Municipal Commissioner as at A (as to what the Municipal Commissioner says) 29/11

(37) Yes 9/12/1944

36) Sri is not a officer 39)

Rev 1944 28 MQ

4635 SECRETARY 29 NOV 1944 GOVT. OF MYSORE

12 DEC 1944 GEN & REV SECTT

8 L R 264 – 44 | 2

Petition from Bhavani Shankara Rao, Rajamahal Guttahalli
re conversion of s nos 33 & 32/2, Jakkasandra Village,
for building purposes

4515/12

Do

The Municipal Commissioner
Bangalore City Municipality (2)

Issued nos R 4082 dt 13 12 44 calling for a report as to what public purpose the lands are proposed to be acquired

SDS 'A' 13 12 44

Letter no A6 C 1563/43 4 dt 19 3 45 from the Municipal Comr stating that the Municipal Council, at their Meeting held on 11 11 44 resolved that an extent of 98 sq yds or 81 guntas of land out of s no 33 Jakkasandra Village, Bangalore Tq may be acquired for the formation of a circle and that the remaining portion of the said s no and s no 32/2 of the village belonging to the petitioner may be converted into building sites (3)

Subd

40) Facts in brief

One Thr R Bhavani Shankara Rao of Malleswaram presented a petition to Govt praying for permission to convert his lands bearing s nos 33 and 32/2 of Jakkasandra Village (measuring 6½ guntas) into building sites for the benefit of a temple located nearby. The Ml Comr who was consulted in the matter reported that the City Improvement Committee were not in favour of the proposal as the plot was required for a public purpose, the purpose being for the erection of an Arrack shop at the place. Erection of an arrack shop before a Temple being objectionable. The R C was consulted in the matter and the R C reported that, if the Municipality had any proposal on hand to acquire the plot for an unobjectionable purpose the petitioner's request might be refused and that, if otherwise, the permission sought might be granted in consultation with the

Petition of Bhavani Shankar Rao of Pallewar.

LR 264-66 B of ~~4-5-66~~ 4-5-66.

The Municipality (kind refee is invited to paras 12 & 34 of the notes) thereupon the Tahsildar was again consulted as to what exactly the public purpose for which the plot was required was in their office letter dt 13-12-66

(41) The Tahsildar now reports that the Tahsil Committee requires an extent of 81 guntas of land out of S no 33 of the said village for the formation of a new circle at the place and that the remaining portion of the above S no and the entire extent of S no 32/2 may be converted into building sites as proposed The petitioner has also agreed, in his petition dt 1-8-43, to part with the ~~portion~~ any of his land required by the Municipality for the purpose The petitioner's prayer may perhaps be granted

Subs with refee to paras 36 and 37 of the notes

28/3/67 (41) The receipt of the petition from L.S.G. Branch may be awaited

28/3 per

(42) Resubmitted with the connected papers received from the L S G Branch

28/3/67 43 may be sent to L S G Branch

28/3

L S G Br) 28/3

29/3/67

6150
L

Letter No Ab-C 1563/43-44 Dt 19-3-45 from the MC Comm, Bengs, forwarding a copy of the resolution of the one dt agreeing to acquire only the portion of the land that is required for forming a circle & to permit the conversion of the remaining land for building purposes

1/4) The Connected file has been sent to the Rev Branch & if appd, the Rev Br will be requested to form up the file

R 4595 Kks 2/4/3 4) Law Rev memo Dr 26/3/45

GEN & REV SECTT 27 MAR 1945 REVENUE BRANCH

46) Sd. The file obtained from the Rev Branch is form up.

Kks 29/3 47) The above resolution of the Bangalore corp which is in accordance with the orders of Govt Communicated in this office letter no L 5293/ Dnl 111-43-63 dt 22-1-43 4 But the position has recently changed owing to the introduction of the Imprvement Trust

Q 6150

Board Act of 1945, according
which no private layout can
be permitted We will write
be required to inform the petitioner
accordingly Lowrey 6/14/45

7852

We may be informed that
only the information required will
be acquired as regards the
maps, the commissioner may
may be asked to furnish
the consumers one or more
buildings.

Lowrey
6-4-45

5) Handed with draft letter for appl
WHB
7/4

5) Immediate
7/14/45

To Mr ml Comm. Borg
No L10148 of 10/4/45.
Cables for some information

Jus A

C F 69]

Continuation Sheet | File No / Current No 7776/L | of | Page 12

From the Municipal Comr Bangalore
A 6 C 1563/43-44 d 23-5-45
States that Mr M Bhavani Shankara Rao proposes to construct three Buildings on S No 33 and 32/2 of Jakkasandra village

Mr Bhavani Shankara Rao has stated that he intends constructing three Buildings on S no 33 and 32/2 of Jakkasandra village

Refer paras 5 & 6 of the Notes Supra

Lunch

T 9588 We may be informed if the proposal is agreeable to Govt

Can 13/6/45

Dft please 13/6 MS

Submitted with a draft endorsement
HS 15/6

Sd 16/6/45

To Mr Bhavani ShankarRao
L 12307 d 20/6/45
Rejects the request to construct buildings on S Nos 33 and 32/2 of Jakkasandra village

V
B
27/6
HS

WD 02139—GPB—20 000—26 2 45

C F 69]

Continuation Sheet | File No / Current No | of | Page

OFFICE OF THE M I S
FOR L S G & P H
Date 6 8 43
No P.103

SECRET
GEN & PLY
5 AUG 1943
L S G BRANCH

From

M Bhavani Shanker Rao,
Sri Pandu Ranga Temple, Rajamahal Guttahally
Road, Malleswaram P O

To

H B Gundappa Gowda Esq ,
Minister, Local Self Government & Municipalities
Government of Mysore, Bangalore

Most Respected and Revered Sir,

In connection with my land bearing S No 33 & 32/2 of Jakkasandra village, Bangalore Kasaba measuring 6½ guntas I beg to put forward my grievances before your good self and pray that you will magnanimously be pleased to redress my grievances by justly disposing the matter

The abovementioned land is situated at the point where the Guttahally road commences from the Malleswaram Cocanut Avenue, and I purchased this about 6 years ago as revenue land, with the sole intention of realising rental and annuities to conduct daily worshop and seasonal functions of Pandarpur Sri Pandurangaswamy and Sri Rukmini Devi, whose temple is located nearby on Rajamahal Guttahally Road and for which purpose I have been applying to the Municipality for permission to construct buildings thereon for the benefit of the temple and its devotees, and various charitable activities connected with the temple In the meanwhile early last year the Municipality said that they are considering the matter and are contemplating in this connection Later on after many months the Municipal Commissioner sent an endorsement dated 3-12-1942 stating that the conversion of the land is not recommended

P T O

as the said land has been proposed for acquisition and construction of ar Arrack Shop I herewith send you the true copy of the endorsement of the Municipal Commissioner for your kind perusal

Thereupon I put in a petition to the Dewan and to your kindself stating all these facts which are against locating the toddy shop in this land in view of the temple nearby You have been so very kind and just in seeing that the proposal by the Municipality to locate the toddy shop in this land is cancelled, and this fact of your kindness I came to know

I wanted to begin constructing building on this site and for this purpose the Municipal permission was sought The Municipality have not granted permsssion yet a building and other necessary constructions on this site is essential for the benefit of Pandarpur Sri Pandurangа Swamy and Sri Rukmini Devi Temple situated on the Malleswaram Rajamahal Guttahally Road, and this temple is located on the private site owned by my sister Mrs Girija Bai for the benefit of the devotees and the public at large I beg to state, that this temple is a very popular one & the devotees of this temple come from different parts of the Bangalore City such as Malleswaram, Guttahally, Seshadripuram, Gandhi Nagar, Visvesvarapuram, Basavangudi, and Mavalli etc , and also from Cantonment area such as Ulsoor and other Hindu localities there Besides very many devotees turn up from outside stations and in great numbers Her Highness the Dowgar Maharani of Mysore is a Devotee of this temple who has many a time visited the temple personally and is a constant visitor to it Her Highness was so graciously pleased to effect certain improvements such as clearing away the unnecessary jungle shrubs etc , nearby and constructing a drainage

many of the devotees are of high social status and position and their number is also great Such of the devotees who come from outside feel it very inconvenient as there are no facilities for lodging and unless a suitable lodging facilities are created for those devotees, they find it very inconvenient to stop here for a couple of days, as they are at present undergoing much difficulty So a suitable building has to be put up on the site in question for accommodating the several outside devotees who come to stay for a few days for purposes of worship as the temple is in a very limited area and has no accommodation for accomodating the devotees Again in an year when two Yekadasis occur which are of importance very many devotees from outside come and also for Srirama Navami, who stay usually for 2 to 3 days Besides in the front row shops have to be constructed facing the road and the revenue realised therefrom to be utilised for the perputual mainterance of the temple, and for other charitable activities connected with the temple

In consideration of the above facts I request that you will graciously be pleased to grant permission for constructing on the sites referred to above, the necessary buildings

B Should the Municipality desire to form a Circle at the point where the Raja Mahal Guttahally meets the Malleswaram Cocanut avenue, such portion from my site as is necessary for forming the circle can be taker by the Municipality Excluding such portion as is required for forming the Circle, permission may be granted to build in the remaining portion

On previous occasions the ther Municipal Commissioner Mr S Narayana Rao, visiting the temple in question told

PTO

M Bhavani Shankar Rao

14

the Archak Sri Gopalakrishna Bhatt that he would give permission for construction of the said buildings on the site referred to, and was giving hopes

The Deputy Commissioner, Bangalore in his letter No A 3 22 1029 dated 9-3-1943 has written to the Municipal Commissioner, Bangalore for reconsideration of the conversion of the 6½ guntas out of S No 33 and 32/2 The Municipal authorities have not granted license

With full devotion as per the aspiration of my sister Mrs Girija Bai who is the Dharmadarsini of the temple of Pandarapur Sri Pandurangaswamy and Sri Rukmini Devi situated on the Malleswaram Rajamahal Guttahally Road I am out for constructing the building and shops on my site for the benefit of the temple and devotees

I pray that permission may be granted very early for constructing the buildings

Thanking you,

I beg to remain,
Most Respected Sir & Revered Sir,
Your most obedient servant,
M Bhavani Shankarrao

Bangalore,
1st August 1943

Deputy Memo No L 1611/Mal 7/8/43
9/8/43
Dmk

Forwarded with compliments to the Municipal Commissioner, Bangalore for a report in the matter very early

By order

for Secretary to Govt
Law Department

Put up a copy of report
already received
10/8/43

17 2187

BANGALORE CITY MUNICIPALITY

No A6-Pr 83/42 MUNICIPAL OFFICES

Encl One Bangalore 25th Sept 1943

111-43-59

FROM

P SURYANARAYANA SETTI ESQ BA LLB
MUNICIPAL COMMISSIONER
Bangalore City

SECY LAW DEPT TO GOVT OF MYS

C Narayanaswamy Naidu, Esq , B A , B L ,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
LAW DEPARTMENT BANGALORE

SIR

With reference to your Memo No L 1611/41 dated 7-8-1943 calling for a report on the petition of one Mr S Bhavanishankar Rao regarding the conversion of Sy Nos 33 and 32/2 in Jukkasandra village, I have the honour to state that the Deputy Commissioner, Bangalore District had called for the opinion of the Municipality in this matter On a report received from the Municipal Engineer stating that the above land is required for the construction of an arrack shop, the Deputy Commissioner was replied that the conversion in question is not recommended But the Deputy Commissioner returned the file for reconsideration as an arrack shop in front of a temple may be objectionable The subject coming up before the City Improvement Committee, it was resolved by them that the conversion cannot be permitted as the land is required for a public purpose

A copy of the resolution is enclosed herein for favour of information

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

Forwarded with compliments

This plot is at the Corner of an undeveloped Circle in Malleswaram No Conversion is allowed, there would be trouble, if land is required for any public purpose Hence the Conversion is not permitted V K Govindaraj 28/9/43

mlte

PROCEEDINGS OF THE CITY IMPROVEMENT COMMITTEE DATED 28-7-1943

15 Letter No A3-1029 dated 9th March 1943 from the Deputy Commissioner, Bangalore District, that the question of conversion of 6½ guntas of S Nos 33 and 32/2, Jakkasandra Village, into building site may be reconsidered

Resolution - Cannot be permitted as the land is required for a public purpose

Sd V P Govindarajulu,

Chairman

'Copy"

T Sampangiramaiah
Municipal Commissioner

mlt

Office of the Municipal
Commissioner, Bangalore City

No r & 83/42 Dated 3rd December 1942

Endorsement

Referring to his petition dated 26-11-1942 regarding the conversion of 6½ guntas of land in s No 33 & 32/2 Jukkasandra Village, Bangalore Kasaba for building purposes applied for by him to the Amildar Bangalore taluk etc, Mr A Bhavani Shanker Rao, Sri Panduranga Temple, Guttahalli Road, Mallesvaram, is informed that the above conversion is not recommended and the said land has been proposed for acquisition and construction of an arrack shop

Sd A Mariappa,
for Municipal Commissioner

"Copy "

19

Appendix F G—1]

SUBJECT

Section ML
File No 111/43
Serial No 63

Diary No of letter replied to

No 1/ns 293

To

General and Revenue Secretariat

( )

the *194*

The ML Comm. Bangalore

Sir,

Date of issue 22/1

Signed by

With reference to your letter No A6 Pr 83/42 dt 25-9-43 forwarding a report on the Petn of one Mr Bhavani Shankar Rao, in regard to the conversion of S Nos 33 & 32/2 in Jakkasandra Village, I am directed to state that the records in this case disclose that, while the Rev authorities are willing to allow the conversion of the land for a non agricultural

List of enclosures

Copied by BAK

Examined by

WD 04161—GPB—60 000—24 10 41

purpose, the ML authorities are
not willing to do so & the grounds
on which the latter have based
their decision are not tenable
The ML Cl have not yet decided
about the particular public purpose
for which the portion of the above land
would be required & what portion of it
would also have to be acquired, with the
result that the party is left in a state
of suspense, which is not desirable,
for an indefinite length of time, I am
accordingly to request you to be so good
as to state, in consultation with the MLC,
as to what portion of the land, if any, belonging
to the petitioner is required for the Public Purpose,
such as the formation of a circle etc, so that action
may be taken without delay to acquire &
demarcate it. The party may in the meanwhile, be
~~allowed~~ permitted to convert the remaining portion of
the land for non agricultural purposes. Immediate
necessary action may be taken ~~thereafter~~ accordingly.
The party may also be informed of the above decision

I have etc
SRR 19/11/43
Ms Dordan secy to Govt

21

Appendix F G—1]

SUBJECT Petition from Bhavani Shankara Rao of Rajamahal Gutta halli Rd Bangalore praying for permission for the conversion of his lands bearing S nos 33 & 32/2 of Sri Parvatavardhini Temple Jafrasandra village for building purposes

Section L R
File No 264—44
Serial No 2

Diary No of letter replied to

No RL082

To

The Municipal Commissioner,
City Municipality, B'lore

General and Revenue Secretariat

( )

the *194*

Date of issue 13-12-43

Signed by Mr S K N

Sir,

With reference to the ~~correspondence~~ correspondence resting with letter no L5293 ~~dated~~ M L 111-63-63 dated the 22nd Nov'43 from the Law Secy to Govt on the above subject I am directed to request you to send a report early as to what the public purpose for which the lands in question are proposed to be acquired is

List of enclosures

Copied by

I have etc

Examined by

for Ch Secy to Govt
6 12/43

WD 04161—GPB—60 00)—2a 10-41

BANGALORE CITY MUNICIPALITY

92

No 46-C 1563/43-44

Encl

MUNICIPAL OFFICES

Bangalore 19th Mar. 1945

CR 264-44-3

FROM

K. Subba Rao, Esq., B.A.,
~~Ex-Surayanarayana Setty Esq., B.A., B.L.~~
MUNICIPAL COMMISSIONER
Bangalore City

TO

C. Narayanaswamy Naidu, Esq., B.A., B.L.,
Legal Remembrancer & Secretary to Government,
Law Department, Bangalore

SIR

Re: Petition of Mr. Bhaveni Shankara Rao, Rajamahal Guttahalli, regarding the conversion of S. Nos 33 and 32/2 of Jakkasandra village, for building purposes

---

With reference to correspondence ending with your letter No L.5293/III. 111-43-63 dated 22nd November 1943, I have the honour to forward herewith a copy of the resolution passed by the Municipal Council at their meeting held on 11-11-1944. The Council have resolved that the portion not required by the Municipality for forming a circle may be converted and the Engineer asked to demarcate the portion that is required for the purpose, for necessary acquisition proceedings being taken up I enclose herewith a plan showing the portion in Survey No. 33, which is required for widening the roads on the two sides. The extent which is required for this purpose and which has to be acquired is 68 sq. yards or .81 guntas. Separate action is being taken to acquire this portion Excluding this area, the remaining portion in S. No 33 and S No. 32/2 may be permitted to be converted into building sites.

I have the honour to be,
Sir,
Your most obedient servant,

Sd K Subba Rao
Municipal Commissioner

ksm

23

Copy of the foregoing is forwarded with compliments to the Chief Secretary to Government of Mysore, Bangalore, for information, with reference to his letter No R-4082/LR 264-44-2 dated 13-12-1944

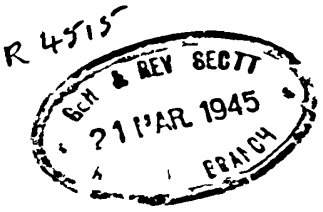
Copy of the foregoing is forwarded with compliments to the Deputy Commissioner, Bangalore District, for information,

Copy to the Municipal Engineer, for submitting three more copies of the plan

Municipal Commissioner

kam

R 4515



Proceedings of the Bangalore City Municipal Council
[illegible]-11-1944.

[illegible] note regarding conversion of S No. [illegible] of Jakkasandra village, applied for by Mr [illegible] Shankar Rao.

Mr K. C. Suryanarayana Rao observed that the conversion prayed for may be granted subject to the Municipality keeping a portion to a depth of 20 feet for a curve in that area, for a circle being formed there.

There was some discussion on this, some observing that it was illegal to grant p rmission subject to such conditions and that if they required any private land, they ought to acquire and pay for it, instead of forcing the parties to give up a portion of their lands when they approach the Municipalityfor conversion There were others who opined that since the private owners would be deriving huge profits by way of higher prices due to the amenities created by the Municipality, it was but right that they should give up some portion of their lands if required for any public purpose.

Mr B. N Gupta observed that in this instance, when the party applied for conversion, he was endorsed that since the land was required for putting up an arrack shop, conversion would not be allowed This bit was situated in front of a temple and when there was a move to shift all toddy and arrack shops outside the limits, there was no justification to refuse conversion on the ground that it was required for an arrack shop Further, it was an illegal coercision to insist on t he party giving up a portion of his land when he applied for conversion If the Municipality wanted this bit, they should ac,uire straightaway instead of imposing suche conditions on the party He urged that conversion asked for may be given

Mr K C Suryanarayana Rao observed that whenever there

was any proposal to improve any road, etc the Mun had a right to insist upon getting back of the bui So they had a right to ask for the land for a circ this case. But the conversion need not be held on account and it may be sanctioned

Then, the following resolution was passed

"The portion not required by the Municipality f forming a circle may be converted and the Engineer m be requested to demarcate the portion that is requir for necessary acquisition proceedings being taken up.

Sd Syed Ghouse Mohiyuddi
Hon. Vice President.

"Copy"

Municipal Commissioner

BANGALORE CITY MUNICIPALITY

6150

No 26-C 1563/43-44 MUNICIPAL OFFICES

Encl Two Bangalore 19th Mar 1945

FROM

K Subba Rao Esq , B A ,
~~P SURYANARAYANA SETTI, ESQ, B.A., LL.B.~~
MUNICIPAL COMMISSIONER
Bangalore City

TO

Narayanaswamy Naidu Esq , B A , B L
Legal Remembrancer & Secretary to Government,
Law Department Bangalore

SIR

Re Petition of Mr Bhavani Shankara Rao, Rajamahal Guttahalli, regarding the conversion of S Nos 33 and 32/2 of Jakkasandra village, for building purposes

---

With reference to correspondence ending with your letter No L 5293/M1 111-43-63 dated 22nd November 1943, I have the honour to forward herewith a copy of the resolution passed by the Municipal Council at their meeting held on 11-11-1944 The Council have resolved that the portion not required by the Municipality for forming a circle may be converted and the Engineer asked to demarcate the portion that is required for the purpose, for necessary acquisition proceedings being taken up I enclose herewith a plan showing the portion in Survey No 33, which is required for widening the roads on the two sides The extent which is required for this purpose and which has to be acquired is 98 sq yards or 81 guntas Separate action is being taken to acquire this portion Excluding this area, the remaining portion in S No 33 and S No 32/2 may be permitted to be converted into building sites

I have the honour to be,
Sir,
Your most obedient servant,

Forwarded with Compliments
M A Gopalaswamy Iyengar
Municipal Commissioner

rsm
19/3/45 Honorary Resident

BANGALORE CITY MUNICIPALITY

was any proposal to improve any road, etc the Municipality had a right to insist upon getting back of the building So they had a right to ask for the land for a circle in this case But the conversion need not be held up on this account and it may be sanctioned

Then, the following resolution as passed

"The portion not required by the Municipality for forming a circle may be converted and the Engineer may be requested to demarcate the portion that is required, for necessary acquisition proceedings being taken up

Sd Syed Ghouse Mohiyuddin,
Hon Vice President

"Copy"

Municipal Commissioner

27

28 Proceedings of the Bangalore City Municipal Council Meeting dated 11-11-1944

Subject No 27 - Office note regarding conversion of s 33, and 32/2 of Jakkasandra village applied for by Mr Bhavani Shankar Rao

Mr T C Suryanarayana Rao observed that the conversion prayed for may be granted subject to the Municipality keeping a portion to a depth of 20 feet for a in that area, for a circle being formed there

There was some discussion on this, some observing that it was illegal to grant permission subject to such conditions and that if they required any private land, ought to acquire and pay for it, instead of forcing the parties to give up a portion of their lands when they approach the Municipality for conversion There were o who opined that since the private owners would be deriving huge profits by way of higher prices due to the amenity created by the Municipality, it was but right that they should give up some portion of their lands if required any public purpose

Mr B N Gupta observed that in this instance, when the party applied for conversion, he was endorsed that since the land was required for putting up an arrack s conversion would not be allowed This bit was situated in front of a temple and when there was a move to shift all toddy and arrack shops outside the limits, there was no justification to refuse conversion on the ground that it was required for an arrack shop Further, it was an illegal coercision to insist on the party giving up a portion of his land when he applied for conversion If the Municipality wanted this bit, they should acquire it straightaway instead of imposing suche conditions on the party He urged that conversion asked for may be given

Mr T C Suryanarayana Rao observed that whenever

BANGALORE CITY MUNICIPALITY

31

L-10148 10/4/41

To The Mil Commr, Bdgs
thro the Pol 30

Sir, With reference to the correspondence ending with your letter no A6-C 1563/43246 dt 19-3-45 re the conversion of S Nos 33 & 32/2 of Jakkasandra Village, for building purposes, I am directed to state that Rayarmal Puttulalu Mr Bhavani Shankara Rao, may be informed that only the portion of the land required by the Rlwy for its purpose i.e about 8 Gunthas will be acquired out of the above S Nos. It may be ascertained from him whether he would construct one or more buildings on the remaining area the reply need for the purpose. forwarded for the favour

Yours
Under Secy to Govt
Land Deptt

BANGALORE CITY MUNICIPALITY

No A6 C 1563/43-44

Encl

MUNICIPAL OFFICES

Bangalore 23rd May 1945

FROM

K SUBBA RAO Esq BA

MUNICIPAL COMMISSIONER

BANGALORE CITY

To

C Narayanaswamy Naidu Esq B A , B L ,
Legal Remembrancer and Secretary to the
Government of Mysore Law Department
Bangalore

SIR

As desired in your letter No 10148/M1 dated 10-4-1945 I have the honour to obtain and forward for orders a copy of the reply received from Mr M Bhavani Shankar Rao as to the number of buildings proposed to be constructed by him on S No 33 and 32/2 of Jakkasandra village It is seen from it that the applicant desired to construct three buildings in the abve area

I have the honour to be
Sir.
Your most obedient servant

Municipal Commissioner

32

Copy of reply dated 23-4-45 received from M Bhavani Shankara Rao Sri Panduranga Vittal Temple Palace Guttahalli Road Malleswaram P O

With reference to your Memo No A6 C 1563/43 dated 18th April 1945 requiring me to intimate to you as to the number of buildings that I propose to construct I have to say that three buildings are contemplated upon and will be similar in plan and construction to the newly constructed buildings which are quite close to our land and also in opposite row of our land Further the area of our land excluding the portion of the land proposed to be acquired by the Municipality for widening the roads on two sides being of the same size if not more as the area occupied by the three new buildings (2 completed buildings facing the Guttahalli road and one building under construction facing the Cocoanut Avenue), the same (i e our land) will be quite sufficient for constructing three buildings similar to those new buildings opposite and near our land

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Copy

K Ramaiah

Municipal Commissioner

pages 180 to 184

L-12307 Endorsement forwarded to 20/6/45

Mr Bhavani Shankar Rao

In reply to his petition dated 1st Aug 43 regarding the Proposal to Construct three buildings on S nos 33 and 32/2 of Jakkasandra village, Mr Bhavani Shankar Rao, Sri Pandurangar Temple, Rayamahal Guttahalli, is informed that the City Improvement Trust Board Act of 1945 has come into effect to the provisions of the said Act to which according, no private layouts can be permitted

P.T.O

for Land Acq Officer

HS 15/6

pages 1 to 34